

COMMITTEE REPORT.

Committee Room,
Austin, Texas, September 18, 1914.

Hon. Robt L. Warren, President Pro
Tem. of the Senate.

Sir: Your Judiciary Committee No.
1, to whom was referred

S. B. No. 15, A bill to be entitled
"An Act to amend Article 5477 of the
Revised Civil Statutes of the State of
Texas relating to the landlord's lien so
as to provide that such lien as to agri-
cultural products, when stored in bonded
warehouses regulated and controlled by
the laws of the State of Texas, shall
continue so long as such products re-
main in such warehouses and declaring
an emergency."

Have had the same under considera-
tion and I am instructed to report the
same back to the Senate with the recom-
mendation that it do pass, and be not
printed.

CARTER, Acting Chairman.

TWENTY-SECOND DAY.

Senate Chamber,
Austin, Texas,

Saturday, September 19, 1914.

The Senate met pursuant to adjourn-
ment, and was called to order by Pres-
ident Pro Tem. Warren.

Roll call, a quorum being present, the
following Senators answering to their
names:

Bailey of DeWitt.	Johnson.
Bailey of Harris.	Lattimore.
Brelsford.	McGregor.
Carter.	McNealus.
Collins.	Morrow.
Conner.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Warren.
Hall.	Watson.
Harley.	Westbrook.
Henderson.	Wiley.
Hudspeth.	

Al sent.

Willacy.

Absent—Excused.

Astin.	Nugent.
Clark.	

Prayer by the Chaplain.

Pending the reading of the Journal of

yesterday, the same was dispensed with
on motion of Senator Bailey of Harris.

EXCUSED.

On account of important business:

Senator Astin, for non-attendance yes-
terday afternoon, and until next Tues-
day, on motion of Senator Bailey of De-
Witt.

Senator Clark, for today, on motion
of Senator Collins.

Senator Nugent, for today and until
Tuesday, on motion of Senator Brels-
ford.

HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, September 19, 1914.

Hon. Robt. L. Warren, President Pro
Tem. of the Senate.

Sir: I am directed by the House to
inform the Senate that the House grants
request of the Senate for a Free Con-
ference Committee on Senate bill No. 12.
The following members on part of the
House have been appointed:

Messrs. Tillotson, Flournoy, Savage,
Vannoy and McCrory.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, September 19, 1914.

Hon. Robt. L. Warren, President Pro
Tem. of the Senate.

Sir: I am directed by the House to
inform the Senate that the House has
passed the following bills:

S. B. No. 10, A bill to be entitled
"An Act prohibiting the operation of
a corporation for the dual purpose of
owning, controlling or operating a cot-
ton seed oil mill, and of owning, con-
trolling or operating a public cotton gin;
also prohibiting a corporation chartered
for the purpose of operating a cotton
seed oil mill from owning, controlling
or operating, directly or indirectly, a
public cotton gin in this State; pro-
viding suitable penalties, forfeitures,
and procedure for enforcing this act;
prohibiting any interference with or re-
strictions of competition in the sale,
handling, or marketing of cotton seed;
giving all corporations engaged in the

business of operating cotton seed oil mills, that now own, control or operate public cotton gins nine months from the taking effect of this act to sell or otherwise dispose of their gin properties and interests, punishing domestic and foreign corporations having no legal authority or permit to do a ginning or cotton seed oil mill business to be in any manner engaged in or in any manner interested therein in this State or to own stock or any interest in any corporation, foreign or domestic, or joint stock association or partnership, so engaged; providing penalties, punishments, and procedure for all corporations and persons violating this act," with amendments.

H. B. No. 11, A bill to be entitled "An Act regulating cotton oil mill corporations and public cotton gin corporations," with engrossed rider.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

HOUSE BILL NO. 11.

H. B. No. 11 was laid before the Senate, read first time and referred to Judiciary Committee No. 2.

SENATE CONCURRENT RESOLUTION NO. 8.

By Senator Johnson:

Be it resolved by the Senate of Texas, the House of Representatives concurring, That the Second Called Session of the Thirty-third Legislature fix Tuesday, September 22, at 12 o'clock noon as the hour for sine die adjournment of said Second Called Session.

The resolution was read, and Senator McNealus offered the following amendment:

Add at the end of the resolution the words "and that the hands of the Senate clock be not turned back."

Senator Hudspeth moved that the resolution and amendment lay on the table subject to call.

The motion was lost by the following vote:

Yeas—9.

Bailey of DeWitt.	Henderson.
Bailey of Harris.	Hudspeth.
Brelsford.	Terrell.
Carter.	Watson.
Collins.	

Nays—17.

Conner.	Cowell.
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Darwin.
Gibson.
Greer.
Hall.
Harley.
Johnson.
Lattimore.
McGregor.

McNealus.
Real.
Taylor.
Townsend.
Warren.
Westbrook.
Wiley.

Absent.

Morrow.

Willacy.

Absent—Excused.

Astin.
Clark.

Nugent.

Senator Watson offered the following amendment to the amendment:

Amend the amendment by adding at the end thereof the words "after the hands have once reached 12 o'clock noon."

WATSON.
HUDSPETH.
MCGREGOR.

The amendment to the amendment was adopted, and the amendment, as amended, was adopted.

Senator Watson moved that the resolution be referred to the Committee on Rules and the motion was lost.

The resolution, as amended, was then adopted.

HOUSE BILL NO. 4.

The Chair laid before the Senate, as regular order,

H. B. No. 4, A bill to be entitled "An Act to create a State bonded warehouse system and afford a method of co-operative marketing for those engaged in the production of farm and ranch products and for the purpose of effectuating this and creating the office of State Warehouse Commissioner, to be appointed by the Governor, with the advice of the Senate; defining the authority of the Commissioner and giving him powers of visitation over the corporations chartered under this act; as a part of the system authorizing the formation of State bonded warehouse corporations on the mutual plan, to be under the supervision and control of the State Warehouse Commissioner; defining the purpose, power and authority of such corporation and regulating the chartering, managing and business of same; defining and prescribing the receipts to be issued by State bonded warehouse and the rights of the respective parties thereunder, and provid-

ing the law, rules and regulations governing the same; stating the business which may be conducted by State bonded warehouses as incidents of their warehouse and marketing business; declaring gins to be subject to a public use and requiring that all ginner in the State shall after July 31, 1915, obtain a license from the State Warehouse Commissioner and give bond so to do, and prescribing certain rules and regulations relative to the ginning and baling of cotton and sampling the same; authorizing the State Warehouse Commissioner to employ the services of a chief clerk, defining his duties, and also the necessary clerical help, office force and examiners, and creating the office of State warehouse examiners, defining their authority, duties and compensation; prescribing the salary of the State Warehouse Commissioner and his chief clerk; vesting the authority now vested by law in the Commissioner of Insurance and Banking with reference to public warehouses in the State Warehouse Commissioner, and transferring the archives in the office of the Commissioner of Insurance and Banking with reference to warehouse corporations to the office of the State Warehouse Commissioner, but providing that this section does not apply to the law passed by the present session of the Legislature with reference to the establishment of State warehouses as an emergency measure by the Commissioner of Insurance and Banking; creating and defining offenses in violation of the act, and prescribing penalties therefor; making appropriation for carrying the act into effect, and declaring an emergency."

Senator Conner offered the following amendment:

Amend the bill, page 7, line 23, by inserting after the words "costs thereof" the following: "It shall be the duty of each public warehouse company to keep duplicates of said standards as well as the standards of weights and measures at its warehouse subject to inspection and comparison of grades and classifications by persons storing products."

CONNER,
LATTIMORE,
GIBSON.

The amendment was adopted by the following vote:

Yeas—26.

Bailey of DeWitt. Brelsford.
Bailey of Harris. Carter.

Collins.
Conner.
Cowell.
Darwin.
Gibson.
Greer.
Hall.
Harley.
Henderson.
Hudspeth.
Johnson.
Lattimore.
McGregor.
McNealus.
Real.
Taylor.
Terrell.
Townsend.
Warren.
Watson.
Westbrook.
Wiley.

Absent.

Morrow. Willacy.

Absent—Excused.

Astin. Nugent.
Clark.

Senator Wiley offered the following amendment:

Amend the bill by striking out Sections 5, 6 and 7.

The amendment was read and lost by the following vote:

Yeas—13.

Bailey of DeWitt. Johnson.
Carter. McGregor.
Conner. Real.
Cowell. Taylor.
Greer. Townsend.
Hall. Wiley.
Harley.

Nays—11.

Bailey of Harris. Lattimore.
Brelsford. McNealus.
Darwin. Warren.
Gibson. Watson.
Henderson. Westbrook.
Hudspeth.

Absent.

Morrow. Willacy.

Absent—Excused.

Nugent.

PAIRED.

Senator Collins (present), who would vote "nay," with Senator Astin (absent), who would vote "yea."

Senator Terrell (present), who would vote "nay," with Senator Clark (absent), who would vote "yea."

The bill was read third time and passed.

Senator Gibson moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.

SENATE BILL NO. 15.

(By Unanimous Consent.)

The Chair laid before the Senate, on second reading.

S. B. No. 15, A bill to be entitled "An Act to amend Article 5477 of the Revised Civil Statutes of the State of Texas relating to the landlord's lien so as to provide that such lien as to agricultural products, when stored in bonded warehouses regulated and controlled by the laws of the State of Texas, shall continue so long as such products remain in such warehouses, and declaring an emergency."

The committee report was adopted.

Senator Bailey of DeWitt offered the following several amendments, which were read and adopted, being acted on separately:

(1)

Amend the caption of Senate bill No. 15 by inserting after the word "warehouses" in the last line of said caption the words "and thirty days thereafter."

(2)

Amend the bill, by striking out the words "section" where they occur and inserting these words before the enacting clause.

(3)

Amend Senate bill No. 15, by striking out all Section 2 and inserting in lieu thereof the following:

"Sec. 2. The importance of the legislation proposed in this act and the fact that the present session of this Legislature must expire by law within the next few days, rendering it impossible that this bill can be read on three several days in each House, create an emergency and an imperative public necessity that the constitutional rule requiring bills to be read on three several days in each House should be suspended; said rule is so suspended, and this act shall take effect from and after its passage, and it is so enacted."

RECESS.

Senator Hudspeth, at 12:30 o'clock p. m. moved that the Senate recess until 3 o'clock today.

Senator McNéalus moved, as a substitute, that the Senate adjourn until 10 o'clock Monday morning.

The substitute motion was lost by the following vote:

Nays—24.

Bailey of DeWitt.	Johnson.
Bailey of Harris.	Lattimore.
Brelsford.	McGregor.
Carter.	McNealus.
Collins.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Warren.
Hall.	Watson.
Henderson.	Westbrook.
Hudspeth.	Wiley.

Absent.

Conner.	Morrow.
Harley.	Willacy.

Absent—Excused.

Astin.	Nugent.
Clark.	

The motion to recess until 3 o'clock today was adopted.

AFTER RECESS.

(Afternoon Session.)

The Senate was called to order by President Pro Tem. Warren.

SENATE BILL NO. 15.

Action recurred on the pending business, Senate bill No. 15.

Senator Cowell offered the following amendment:

Amend the bill, by striking out the words "and for thirty days thereafter" where they appear immediately after the word "warehouses" in the bill and caption.

COWELL.
COLLINS.

(Senator Collins in the chair.)

HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, September 19, 1914.

Hon. Robt. L. Warren, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House does not concur in Senate amendments to House bill No. 4 and requests the appointment of a Conference Committee. The following members on the part of the House have been appointed: Cal-

vin, Penry, Burmeister, Kirby and Burns.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

HOUSE BILL NO. 4—CONFERENCE COMMITTEE ON.

Senator Watson offered the following motion in writing:

I move that the Senate grant the request of the House for a Conference Committee on House bill No. 4, and that the following be elected on the part of the Senate, to wit: Gibson, Cowell, Hudspeth, Bailey of Harris and Lattimore.

Senator Townsend offered the following substitute for the above motion:

I move that the request of the House as to House bill No. 4 be granted and that the following be named as a Conference Committee to represent the Senate: Gibson, Darwin, Bailey of DeWitt, Wiley and Morrow.

Action recurred on the substitute and the same was adopted by the following vote:

Yeas—14.

Bailey of DeWitt.	McNealus.
Conner.	Morrow.
Darwin.	Real.
Greer.	Taylor.
Hall.	Townsend.
Henderson.	Westbrook.
Johnson.	Wiley.

Nays—9.

Bailey of Harris.	McGregor.
Collins.	Terrell.
Gibson.	Warren.
Hudspeth.	Watson.
Lattimore.	

Present—Not Voting.

Brelsford.	Cowell.
Carter.	

Absent.

Harley.	Willacy.
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Absent—Excused.

Astin.	Nugent.
Clark.	

The motion, as substituted, was then adopted.

SENATE BILL NO. 15.

Action recurred on the pending busi-

ness, Senate bill No. 15, the question being on the amendment by Senator Cowell and the same was adopted.

The bill having already been read second time, was ordered engrossed.

On motion of Senator Bailey of DeWitt, the constitutional rule requiring bills to be read on three several days was suspended and the bill put on its third reading and final passage by the following vote:

Yeas—22.

Bailey of DeWitt.	Lattimore.
Bailey of Harris.	McNealus.
Carter.	Morrow.
Collins.	Real.
Cowell.	Taylor.
Darwin.	Terrell.
Gibson.	Townsend.
Greer.	Warren.
Henderson.	Watson.
Hudspeth.	Westbrook.
Johnson.	Wiley.

Absent.

Brelsford.	Harley.
Conner.	McGregor.
Hall.	Willacy.

Absent—Excused.

Astin.	Nugent.
Clark.	

The bill was read third time and passed by the following vote:

Yeas—23.

Bailey of DeWitt.	Lattimore.
Bailey of Harris.	McNealus.
Brelsford.	Morrow.
Carter.	Real.
Collins.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Henderson.	Westbrook.
Hudspeth.	Wiley.
Johnson.	

Absent.

Conner.	McGregor.
Hall.	Willacy.
Harley.	

Absent—Excused.

Astin.	Nugent.
Clark.	

Senator Bailey of DeWitt moved to reconsider the vote by which the bill was passed and lay that motion on the table.

The motion to table prevailed.
(President Pro Tem. Warren in the chair.)

MESSAGES FROM THE GOVERNOR.

The following communications were read, and by direction of the Senate they are herewith printed:

Governor's Office,
Austin, Texas, September 19, 1914.

Hon. Robt. L. Warren, President Pro Tem. of the Senate, Senate Chamber, Austin, Texas; Hon. Chester H. Terrell, Speaker of the House of Representatives, House of Representatives, Austin, Texas.

Dear Sirs: It has been numerously suggested that the State Legislatures in the cotton growing States ought to enact laws limiting the number of acres of cotton to be planted. Senator Hoke Smith of Georgia, in telegrams to me, suggested this course, and referred me to the acts of the Legislatures of Georgia and Arkansas in 1862. I am not able to put my hands upon the acts of the Legislature of Arkansas for that year, but I am handing you herewith copies of the act passed by the General Assembly of Georgia and approved December 11, 1862.

I do not care to submit this question to the consideration of the Legislature at this time, but I am addressing this communication to you in order that you may have the act of the Georgia General Assembly printed in your Journals for the general information of your members, if you desire to do so.

Yours truly,
O. B. COLQUITT,
Governor.

Following is the act referred to in the above letter:

An Act to prevent and punish the planting and cultivation, in the State of Georgia, over a certain quantity of land in cotton, during the war with the Abolitionists.

1. Sec. I. The General Assembly of Georgia do enact, That it shall not be lawful for any person or persons, whether residing in this State or not, to plant and cultivate in any county in this State, by themselves, their agents or employees, or allow the same to be done, a greater number of acres of land in cotton than three (3) acres for each hand owned or employed by them be-

tween the ages of fifteen and fifty-five; and when said person or persons may own or employ hands over fifty-five years of age and under sixty-five, or over twelve years of age and under fifteen, two of said hands shall be counted as one hand; and therefore, said person or persons may plant and cultivate three acres of land in cotton, and no more, for every two of said hands so owned or employed by them.

2. Sec. II. That every violator of this law shall be guilty of a misdemeanor, and upon conviction thereof, shall be fined, for every acre so planted more than three to the hand or hands, or six to the two hands or hands, or nine acres to three hands or hands, and so on in proportion to the number of hands employed, the sum of five hundred dollars for each and every acre so planted above the number specified; one-half of which sum shall be, in cases where there is a prosecutor or informer, paid to said prosecutor or informer, and the other half paid to the Inferior Court of the county where the conviction takes place, for the benefit of indigent soldiers' families in said county.

3. Sec. III. That any person or persons who may intend or desire to prosecute any person or persons for the violation of this act, may, upon application to any justice of the Inferior Court of said county, supported by affidavit that he has good reason to believe that said law has been violated, obtain an order requiring the county surveyor, or his lawful deputy, to enter the premises of said person, and make a survey of all the lands so planted and cultivated in cotton; and said person shall pay said surveyor for making said survey, his usual fees, which shall be taxed in the bill of costs on the final adjudication of the same.

4. Sec. IV. That all owners of slaves or employees shall give in, to the tax receiver, the number of hands owned or employed by them, between the ages of twelve and fifteen, and fifteen and fifty-five, and fifty-five and sixty-five, each during said war.

5. Sec. V. That the judges of the Superior Courts be required to give this law specially in charge to the grand juries, at each term of their courts, during said war with the Abolitionists.

Assented to December 11, 1862.

Governor's Office,
Austin, Texas, September 19, 1914.
To the Senate:
On the walls of the Senate Chamber

is a painting of Joanna Troutman, the Georgia young lady making the Lone Star Flag of Texas, a splendid piece of art by Miss Marie Cronin of Palestine, Texas. Being a lover of the history of Texas, and desirous of perpetuating the name of those who took an early part in its struggle, I feel a pride in their accomplishments. As the people of the United States revere the name of Betsy Ross, the designer of the American flag, we ought also to appreciate Joanna Troutman. I am trying to raise a fund by public subscription to erect a monument in her honor in the State Cemetery where her remains are now resting.

For four years I served the people of the Ninth Senatorial District in the State Senate, and I am induced by this fact to offer the portrait of Joanna Troutman as a present to the Senate, and will be glad to know if it is acceptable to you.

Respectfully submitted,
O. B. COLQUITT,
Governor of Texas.

SENATE BILL NO. 10—FREE CONFERENCE ON.

Senator Wiley made the following motion in writing:

I move that the Senate do not concur in the House amendments to S. B. No. 10, and that the House be requested for a Free Conference Committee; that the following Senators be elected as members of the committee on part of the Senate:

Senators Carter, Lattimore, Collins, Brelsford and Hudspeth.

The motion was read and adopted.

SIMPLE RESOLUTION.

By Senator Hudspeth:

Whereas, There is hanging on the walls in the Senate Chamber, a portrait of Miss Joanna Troutman, the original designer of the Lone Star flag of Texas, and

Whereas, Governor O. B. Colquitt through his patriotism and untiring efforts has secured a fund for the payment of this portrait and has donated same to the Senate; therefore, be it

Resolved, That the Senate accept the portrait of Miss Troutman, and the thanks of the Senate be extended to Governor Colquitt for honoring the Senate in this matter.

Signed—Hudspeth, Astin, Bailey of

DeWitt, Bailey of Harris, Brelsford, Carter, Clark, Collins, Conner, Cowell, Darwin, Gibson, Greer, Hall, Harley, Henderson, Johnson, Lattimore, McGregor, McNealus, Morrow, Nugent, Real, Taylor, Terrell, Warren, Watson, Westbrook, Wiley, Willacy.

Senator Hudspeth moved that all names of the members of the Senate be signed to the resolution.

The resolution was read and adopted.

REFUSED TO ADJOURN.

At 4 o'clock p. m., Senator Townsend moved that the Senate adjourn until 10 o'clock Monday morning, which motion was lost by the following vote:

Yeas—12.

Conner.	Lattimore.
Cowell.	McGregor.
Darwin.	McNealus.
Greer.	Terrell.
Hall.	Townsend.
Johnson.	Wiley.

Nays—13.

Bailey of Harris.	Morrow.
Brelsford.	Real.
Carter.	Taylor.
Collins.	Warren.
Gibson.	Watson.
Henderson.	Westbrook.
Hudspeth.	

Absent.

Bailey of DeWitt. Willacy.
Harley.

Absent—Excused.

Astin. Nugent.
Clark.

HOUSE MESSAGE.

Hall of the House of Representatives,
Austin, Texas, September 19, 1914.

Hon. Robt. L. Warren, President Pro Tem. of the Senate.

Sir: I am directed by the House to inform the Senate that the House grants the request of the Senate for a Free Conference Committee on S. B. No. 10.

The following members on the part of the House have been appointed: Cope, Burmeister, Woods of Navarro, Bagby and Tillotson.

Respectfully,

W. R. LONG,

Chief Clerk, House of Representatives.

HOUSE CONCURRENT RESOLUTION
NO. 9.

Senator Hudspeth called for consideration of S. B. No. 14, and Senator Lattimore made the point of order that the two House concurrent resolutions on the calendar had precedence over the Senate bill called for in that they were reported out of the committee first.

The Chair sustained the point of order and laid before the Senate,

H. C. R. No. 9, A resolution relating to requesting United States Congress for certain legislation, etc.

The committee report was adopted.

ADJOURNMENT.

Here Senator Johnson moved that the Senate adjourn until 10 o'clock Monday morning, which motion was adopted by the following vote:

Yeas—15.

Conner.	Lattimore.
Cowell.	McGregor.
Darwin.	McNealus.
Gibson.	Morrow.
Greer.	Taylor.
Hall.	Townsend.
Henderson.	Wiley.
Johnson.	

Nays—9.

Bailey of Harris.	Real.
Brelsford.	Warren.
Carter.	Watson.
Collins.	Westbrook.
Hudspeth.	

Absent.

Bailey of DeWitt.	Terrell.
Harley.	Willacy.

Absent—Excused.

Astin.	Nugent.
Clark.	

TWENTY-THIRD DAY.

Senate Chamber,
Austin, Texas,

Monday, September 21, 1914.

The Senate met pursuant to adjournment, and was called to order by President Pro Tem. Warren.

Roll call, a quorum being present, the following Senators answering to their names:

Bailey of DeWitt.	Lattimore.
Bailey of Harris.	McGregor.
Brelsford.	McNealus.
Carter.	Morrow.
Clark.	Real.
Collins.	Taylor.
Cowell.	Terrell.
Darwin.	Townsend.
Gibson.	Warren.
Greer.	Watson.
Hudspeth.	Wiley.
Johnson.	

Absent.

Willacy.

Absent—Excused.

Astin.	Henderson.
Conner.	Nugent.
Hall.	Westbrook.
Harley.	

Prayer by the Chaplain.

Pending the reading of the Journal of Saturday, the same was dispensed with on motion of Senator Carter.

RESIGNATION OF PAGE.

Austin, Texas, September 21, 1914.

Hon. R. L. Warren, President Pro Tem.
Senate.

Sir: I beg to herewith tender by resignation as a page in the Second Called Session of the Thirty-third Senate, and wish to also thank you and other members of the Senate for the uniform courtesies extended me during my brief labors here, and to assure you that my services here will be remembered in the days to come as among the most pleasant duties I have ever performed.

Very respectfully,

HARVEY HENRY.

The above was read and the resignation accepted.

Morning call concluded.

HOUSE CONCURRENT RESOLUTION
NO. 9.

The Chair laid before the Senate the pending business from Saturday, House Concurrent Resolution No. 9.

Senator Brelsford offered the following amendment:

Amend the resolution by striking out all after the word "concurring" in line 26, page 1, and including the words "before said body," and after the word "Resolved" in line 29, page 1, strike out the word "further," and in line 2, page 2,